

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TAM TRAN,

Petitioner,

v.

CLARK COUNTY COURT,

Respondent.

CASE NO. C22-5925 BHS

ORDER

THIS MATTER is before the Court on Magistrate Judge Fricke's Report and Recommendation ("R&R"), Dkt. 4, recommending that the Court deny pro se petitioner Tam Tran's Motion for Leave to Proceed *in forma pauperis*, Dkt. 1. Tran's proposed habeas petition, Dkt. 1-1, is duplicative of the claims he has sought to assert in Cause No. 22-cv-5924 BHS, and the Court has offered Tran an opportunity to assert all his habeas claims in that case. Tran has not objected to the R&R.

- (1) The R&R is **ADOPTED**;
- (2) Tran's Motion for Leave to Proceed *in forma pauperis*, Dkt. 1, is **DENIED**;
- (3) This matter is dismissed without prejudice.

1 (4) Tran is not entitled to *in forma pauperis* status for the purposes of any  
2 appeal.

3 (5) The Clerk shall send a copy of this Order to Tran, enter a judgment, and  
4 close the case.

5 IT IS SO ORDERED.

6 Dated this 30th day of January, 2023.

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9 BENJAMIN H. SETTLE  
10 United States District Judge  
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